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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/848,005	05/03/2001	Joseph Cosentino	9035.00	5686

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Michael Chan  
Intellectual Property Section  
NCR Corporation  
101 West Schantz, ECD-2  
Dayton, OH 45479-0001

EXAMINER

HARRELL, ROBERT B

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 08/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/848,005

Applicant(s)

COSENTINO, JOSEPH

Examiner

Robert B. Harrell

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 12/16/2002.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: see attached Office Action.

Art Unit: 2142

1. Claims 1-17 are presented for examination.

2. Page 1 (lines 4-8) must be updated with the current United States Patent Application Number and status of the application (e.g., "still pending", "now United States Patent A,BCD,EFG" (where letters are replaced with corresponding numbers), "now abandoned", exc...). The applicant should use this period for response to thoroughly and very closely proof read and review the whole of the application for correct correlation between reference numerals in the textual portion of the Specification and Drawings along with any minor spelling errors, general typographical errors, accuracy, and clarity of meaning in the Specification, Drawings, and specifically claims.

3. Prior to addressing the grounds of the rejections below, should this application ever be the subject of public review by third parties not so versed with the technology (i.e., access to IFW through Public PAIR (as found on <http://portal.uspto.gov/external/portal/pair>)), the following additional indicia in this examiner's Office Action is an aid to refer attention to relevant and helpful elements, figures, and/or text upon which the examiner relies to support his position. Thus, the following citations are neither all-inclusive nor all-exclusive in nature as the whole of the reference is cited and relied upon in this action.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this action:

**A person shall be entitled to a patent unless -**

**(b) the invention was patented or described in a printed publication in this or foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.**

5. Claims 1-17 are rejected under 35 U.S.C. 102 (b) as being anticipated by Tanaka (5,774,759).

6. Per claim 1, Tanaka taught a document processing system (e.g., see figure 2), comprising:

a) a document transport (e.g., see col. 3 (lines 23-27), col. 6 (line 61), and col. 7 (lines 3-16) in that a feeder transports a document from a holding bay over the scanning area and other elements of figure 2 (43,44,57) and which move a document to trays 43a, 43b, and 43c);

b) a transport controller (e.g., see figure 4) for directing the operation of the document transport (e.g., see col. 8 (lines 46-62)), the transport controller being operative to sense exceptions (i.e., "jam") and to generate operator messages in response to the exceptions (e.g., see col. 3 (lines 45-57));

c) a transmitter interface (e.g., see figure 4 (3 and 68), col. 8 (lines 36-45), and col. 9 (line 64) to col. 10 (line 7)) for receiving operator messages from the transport controller and wirelessly (IR=Infrared per col. 8 (lines 36-37)) transmitting the messages;

d) and an operator control unit (e.g., see figure 6 (8)) for wirelessly receiving operator messages from the transmitter interface and visually displaying (e.g., see figure 6 (10), figures 13-15 and col. 20 (lines

Art Unit: 2142

8-15)) the messages for an operator (e.g., see col. 19 (lines 6-26)), the control unit being operative to receive operator commands and transmit the operator commands to the transport (e.g., see figure 4 (3), and col. 13 (line 64-et seq.); also the operator control unit was in the vicinity of the copier).

7. Per claim 2, Tanaka taught the system above wherein the operator control unit is operative to receive a broadcast from the transport advising that the transport is available and to allow selection of the transport (e.g., see col. 11 (lines 12-47)), the operator control unit being further operative to exchange authenticating information with the transport to establish a communication session with the transport (e.g., see figure 9 and col. 11 (lines 54-58) in that the portable terminal apparatus is identifying itself).

8. Per claims 3 and 4, Tanaka taught the system above could also be used to remotely control a facsimile and other processing apparatus (e.g., see Title and col. 21 (lines 33-65)), thus to distinguish between photocopiers, facsimiles and other processing apparatus, it was inherently anticipated that the transport created a session identifier ("ID number" of col. 11 (line 37)), in all messages exchanged during and after establishing a communication session with the operator control unit such that the portable terminal could distinguish one device from another (i.e., an addressing scheme).

9. Per claim 5, Tanaka taught the system above, including, wherein the transport controller issues operator messages during operation of the transport and wherein all operator messages issued by the transport controller are directed both to a local display and the operator display unit (e.g., see figure 10 (95 "COPIES 1") and figure 3 (25 "COPIES 1") while figure 11 was a very conventional display panel on a copier repeated on the portable device's display area).

10. Per claim 6, Tanaka taught the system above, including, wherein the transmitter interface transmits the messages using omnidirectional RF communication (see col. 6 (line 3 "radio" was/is RF)).

11. Per claim 7, Tanaka taught the system above, including, wherein the system further comprising a plurality of additional transports and a plurality of additional operator control units operating within radio frequency of one another (as anticipated by col. 22 (lines 9-17) that another user using the copier would also have his/her own remote controller and the Title anticipated more than one such device(s)).

12. Per claim 8, Tanaka taught the system above, including, wherein each of the transport broadcasts an availability message when not engaged in a communication session with a control unit, the availability message including a unique identifier (as indicated above, when the copier, or other devices as indicated in the Title, came on line, it would send out radio signals indicating its current status).

Art Unit: 2142

13. Per claim 9, Tanaka taught the system above, including, wherein each of the operator control units receives all availability messages when not engaged in a communication session with a transport and wherein each of the operator control units generates a display listing all available transports to allow the operator to select a desired transport with which to request a communication session (as indicated above, there was more than one user each anticipated to have their own remote control unit of the type indicated above each getting a radio signal indicating the associated processing device was on line in which a user could select the device (transport) per figure 6 (10) and col. 10 (lines 36-42). More so, it was anticipated when the Facsimile (Title) came on line, there too would be a button for that device as well as any other buttons for any other devices anticipated by the Title).

14. Per claim 10, Tanaka taught the system above, including, wherein each of the transports broadcasts an availability message while engaged in a session with a control unit whenever the transport is available to engage in an additional session with a different control unit (e.g., see col. 22 (lines 9-17) which taught more than one user and thus more than one control unit of the type indicated above).

15. Per claim 11, Tanaka taught the system above, including, wherein each of the transports communicates with a transmitter server operative to control the transmitter interface (such would be the inherent software in the devices and remote controllers that prevented packet clashes) and wherein the transmitter server processes all messages generated by each transport for transmission using the transmitter interface and directs messages received from each control unit to the correct transport (as indicated above with respect to the transmitter)).

16. Per claim 12, Tanaka taught the system above, including, wherein the transport controller communicates with the server over a local area network (such was anticipated as a radio based local network having at least two users therein thus forming network).

17. Per claims 13-17, they do not teach or define above the correspondingly rejected claims and are thus rejected for the reasons outlined above.

18. A shortened statutory period for response to this action is set to expire 3 (three) months and 0 (zero) days from the date of this letter. Failure to respond within the period for response will cause the application to become abandoned (see MPEP 710.02, 710.02(b)).

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert B. Harrell whose telephone number is (703) 305-9692. The examiner can normally be reached Monday thru Friday from 5:30 am to 2:00 pm and on weekends from 6:00 am to 12 noon Eastern Standard Time.

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Art Unit: 2142

20. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack B. Harvey, can be reached on (703) 308-9705. The fax phone numbers for the Group are (703) 746-7238 for After-Final, (703) 746-7239 for Official Papers, and (703) 746-7240 for Non-Official and Draft papers.

21. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600.



ROBERT B. HARRELL  
PRIMARY EXAMINER  
GROUP 2142